

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

ALOFT MEDIA, LLC,

§

Plaintiff,

§

v.

Civil Action No. 02:08-cv-292-DF

PALM, INC., *et al.*,

JURY TRIAL DEMANDED

Defendants.

§

§

**ORDER GRANTING THE AGREED MOTION TO DISMISS AT&T, INC.  
WITHOUT PREJUDICE**

Plaintiff Aloft Media LLC ("Aloft"), and Defendant AT&T, Inc. (whose correct name is AT&T Inc.) pursuant to Fed. R. Civ. P. 29 and 41, stipulated and jointly moved that Plaintiff dismisses without prejudice its claims against AT&T, Inc. set forth in the First Complaint for Patent Infringement filed on July 29, 2008, pursuant to Fed. R. Civ. P. 41. AT&T Inc. agreed that it will not raise any objection based on any applicable statute of limitations should Aloft later attempt to re-join AT&T Inc. into the above-titled litigation. Aloft agreed that AT&T Inc. does not waive any and all other defenses that might be asserted should Aloft later attempt to re-join AT&T Inc.

Accordingly, such motion is GRANTED, and IT IS HEREBY ORDERED that AT&T Inc. is hereby dismissed without prejudice according to the terms above. Costs to be borne by the party incurring same.

Signed: August 25, 2008



Judge David Folsom